MATTER OF MARTINEZ AND LONDONO*

In Deportation Proceedings

A-18618218
A-18623304

Decided by Board February 11, 1970

A nonimmigrant visitor for pleasure who accepts employment thereby fails to comply with the conditions of his status and is deportable under section 241(a)(9) of the Immigration and Nationality Act. [*Matter of Wong*, 11 I. & N. Dec. 704, reaffirmed.]

CHARGE:

Order: Act of 1952—Section 241(a)(9) [8 U.S.C. 1251(a)(9)]—Visitor—failed to comply (both).

ON BEHALF OF RESPONDENTS:
Leon Rosen, Esquire
11 West 42d Street
New York, New York 10036
(Brief filed)

ON BEHALF OF SERVICE:
Clay Doughty
Appellate Trial Attorney

The cases come forward on appeal by the respondents from the decision of the special inquiry officer who found them deportable as charged but granted the privilege of voluntary departure with an alternate order that if they did not leave the United States within 30 days, they be deported to Colombia. The respondents admit the allegations of fact contained in the orders to show cause but both deny that they are deportable as charged.

The respondents are unmarried male aliens, native and citizens of Colombia, who were admitted to the United States as nonimmigrant visitors for pleasure. Martinez was admitted at New York on March 1, 1969 and Londono was admitted at Miami, Florida on March 17, 1969. After admission both respondents obtained employment at the same corporation in Hauppauge, New York, where they are presently working. The period of time for which they were permitted to remain in the United States has

* Reaffirmed. See 433 F.2d 635 (1970).